

## **Exhibit 20**

1

2 CITY COUNCIL

3

CITY OF NEW YORK

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THE TRANSCRIPT OF THE MINUTES

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of the

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COMMITTEE ON YOUTH SERVICES

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10 September 27, 2002

11 Start: 10:15 a.m.

12 Recess: 3:30 p.m.

13 City Hall

14 Committee Room

15 New York, New York

16

B E F O R E:

17

LEWIS FIDLER

18

Chairperson,

19

COUNCIL MEMBERS:

20

Diana Reyna

21

James Gennaro

22

Alan Gerson

23

Miguel Martinez

24

Albert Vann

25

Dennis Gallagher

26

James Oddo

27

Bill Perkins

28

Bill DeBlasio

29

Kendall Stewart

30

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1  
2 A P P E A R A N C E S  
3  
4 Jack MacKay, Jr.  
5 David Ettinger  
6 Easton Sports  
7 Freddy Ricci  
8 Anthony Ricci  
9 Steve Keener  
10 President/CEO  
11 Little League Baseball  
12 Dwight Raiford  
13 Little League Baseball  
14 Frederick O. Mueller, Ph.D  
15 USA Baseball  
16 Paul Seiler  
17 USA Baseball  
18 Abraham Key  
19 President  
20 P.O.N.Y. Baseball Softball  
21 Joe Smiegocki  
22 Babe Ruth Baseball  
23 Marty Archer  
24 President  
25 Louisville Slugger Division  
Hillerich & Bradsby Company  
Richard Schmidt  
H&B, Louisville, Kentucky  
Walter Stampfel  
Catholic High School Athletic Association  
Tobi Bergman

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2 CHAIRPERSON FIDLER: All right, it's  
3 time to play ball. Good morning, and welcome. My  
4 name is Lou Fidler, I'm the Chairman of the Youth  
5 Services Committee. Before I give my opening  
6 statement, I want to introduce the members of the  
7 Council that are here.

8 Councilman Oddo from Staten Island,  
9 Councilman Martinez from Manhattan, and the  
10 Committee staff is to my right, Laura Popa, Perry  
11 Stein and Michael Polenberg.

12 Today the Youth Services Committee  
13 will consider Intro. 100, a measure which if enacted  
14 into law would amend the Administrative Code of the  
15 City of New York by prohibiting the use of non-wood  
16 bats by minors in competitive baseball games.

17 We will not be taking a vote on this  
18 bill today, but it is our intention to present the  
19 balance hearing on the pros and cons of this  
20 measure.

21 Since its inception, baseball has had  
22 a special place in the life of New Yorkers.

23 Everyone is well aware of the rich  
24 history professional baseball has had here, a love  
25 affair that stretches from the 1880s to the present.

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2 Historians can argue over who and where this great  
3 game was invented, but no one can deny that many of  
4 baseball's most cherished moments, the majesty of  
5 Babe Ruth, Bobby Thompson's shot heard around the  
6 world, the heroic dignity displayed by Jackie  
7 Robinson, and my personal favorite, the miracle of  
8 the 1969 Mets were played out here in New York City.

9                   However, in this town baseball is  
10 more than a spectator's sport. It's a game that we  
11 love to play and a game that we play well and a game  
12 we play hard.

13                   This was brought home to all of us  
14 this year by the tremendous and inspiring  
15 performance of the Harlem Little League, their  
16 outstanding efforts remind us that our City is a hot  
17 bed of youth baseball. Indeed, my own home, both of  
18 my boys play Little League Baseball, and as hard as  
19 it may be to envision today, as a child I played it  
20 too.

21                   Considering the place the game of  
22 baseball has in the life of our City, it's easy to  
23 see why issues relating to the safety of those who  
24 play this sport are important. So, today we turn our  
25 focus to Intro. 100.

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2                   As I previously stated, under the  
3 terms of this bill it would be unlawful for minors  
4 participating in competitive baseball games held in  
5 the City of New York to choose non-wood bats.  
6 Competitive games would be defined as "any organized  
7 game where certified umpires are present."

8                   This bill would effect games  
9 conducted by such groups as Little League, Babe Ruth  
10 League, American Legion, the Public School Athletic  
11 League, and the Catholic High School Athletic  
12 Association.

13                  Since 1971, aluminum and other  
14 non-wood bats have almost completely replaced wooden  
15 bats at amateur and youth baseball competitions.  
16 There is little doubt that the use of non-wood bats  
17 has added to the offensive nature of the game, with  
18 increased run production and higher batting averages  
19 commonplace.

20                  Some have contended that non-wood  
21 bats have introduced the risk factor that is  
22 inconsistent with the safe conduct of the sport. The  
23 belief is that the ball charges off the metal bat,  
24 often swung with a greater bat speed, with greater  
25 velocity. Therefore, the positioned players closest

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2 to the plate, particularly the pitcher, are at  
3 greater risk. They point to a number of anecdotal  
4 stories that tell of pitchers who have been  
5 seriously injured by balls hit off non-wood bats.

6 Other parties contend that there is  
7 absolutely no scientific evidence that conclusively  
8 demonstrates that the introduction of non-wood bats  
9 has resulted in an unreasonable risk of injury to  
10 children and youth who play the game of baseball.  
11 They point to statistics that demonstrate that in  
12 recent seasons the injury rate in leagues that use  
13 non-wood bats have actually decreased.

14 They also point to the risks inherent  
15 in wood bats which often break or splinter, and  
16 certainly the most graphic recollection we have here  
17 in New York in the World Series in 2000, when Mike  
18 Blosil's bat splintered off and Roger Clemens heaved  
19 it in Big Mike's direction.

20 Has anyone noticed that I'm a Met fan  
21 yet?

22 I am not, as we enter this hearing,  
23 convinced, but I have promised and I believe that  
24 the Committee should maintain and keep an open mind,  
25 before we affect a multi-million dollar industry and

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2 before we put our youth sports leagues to the  
3 enormous financial expense, at a time when money is  
4 scarce, of replacing their stock of bats, we need to  
5 be absolutely certain. It has to be proven that  
6 there is a higher risk to our children.

7 If it is proven, then we're obligated  
8 to act. But really only if it's proven.

9 We're joined by Councilman Vann from  
10 Brooklyn as well. I am going to give the leading  
11 proponent of the legislation, Councilman James Oddo,  
12 an opportunity to make a statement and to play a  
13 videotape which he feels will put the case for his  
14 legislation before you.

15 Councilman Oddo.

16 COUNCIL MEMBER ODDO: Thank you, Mr.  
17 Chairman.

18 Let me just begin by saying I hope  
19 that the fact that we're both Mets' fans is not the  
20 only thing that we agree upon by the end of the day.

21 I would like to begin by extending to  
22 Speaker Gifford Miller and to you, Mr. Chairman, my  
23 deepest appreciation for scheduling this hearing and  
24 allowing for a public discussion of an issue that at  
25 first blush might seem a bit unusual for the halls



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2 of this hollow chamber.

3                   Moreover, given some of the recent  
4 less than flattering articles about the Council's  
5 interest in issues outside the traditional purview  
6 of this body, I'm particularly appreciative.

7                   The uninitiated may believe that with  
8 all of the various complex issues before the City of  
9 New York, it's a bit odd that a member of the City  
10 Council has become fixated on the dangers of  
11 high-tech bats. Let me be perfectly clear,  
12 unapologetic, and dare I say a bit defiant right  
13 from outset, that with all due respect to past and  
14 present members of this body, this legislation is  
15 not a repeat of the infamous ferret bill. Simply  
16 put, this is an issue of safety. And the value one  
17 places on this bill is predicated on the value one  
18 places on the health, safety and well-being of young  
19 people.

20                   My interest in this issue stems from  
21 the fact I am a passionate baseball fan. But perhaps  
22 it also results from having had a mother stand in my  
23 office depicting what it was like to watch her son  
24 die on an athletic field before her very eyes.

25                   Not a baseball diamond, mind you, but